

# Notice of Allowability

Application No.

10/692,568

Applicant(s)

BARROWS, BRUCE

Examiner

Fadey S. Jabr

Art Unit

3628

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to pre-appeal filed 11/26/07.
2. ☒ The allowed claim(s) is/are 1-16.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Prosecution History***

Claims 1 and 3 have been amended by way of Examiner's Amendment.

Claims 1-16 remain pending and are allowed for at least the reasons below.

### ***Allowable Subject Matter***

1. Claims 1-16 are allowed over the prior art of record.
2. The claims are allowed for the reasons set forth in the Applicant's arguments found in the Applicant's Pre-Brief Arguments filed 26 November 2007.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fadey S. Jabr whose telephone number is (571) 272-1516. The examiner can normally be reached on Mon. - Fri. 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:  
10/692,568  
Art Unit: 3628

Page 3

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Fadey S Jabr  
Examiner  
Art Unit 3628

FSJ

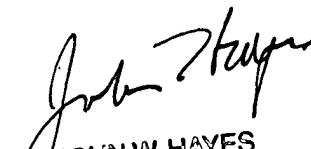
Please address mail to be delivered by the United States Postal Service (USPS) as follows:

**Commissioner of Patents and Trademarks  
Washington, D.C. 20231**

or faxed to:

**(571) 273-1516** [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the Customer Service Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314

  
**JOHN W. HAYES  
SUPERVISORY PATENT EXAMINER**

### **EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Cummings on 17 December 2007.

#### **Listing of Claims:**

1. (Currently Amended) A method for automatic balancing of mail processing postage fund accounts for an inserter system, the method comprising:

forming mail pieces on an inserter machine, the inserter machine comprising a postage meter for printing postage value on the mail pieces;

gathering register information from the postage meter while forming mail pieces, the register information including an ascending register of postage funds printed by the postage meter, a descending register of postage funds available for printing by the postage meter, and a piece count;

defining mail piece blocks based on gathered register information, the step of defining including assigning individual mail pieces to mail piece blocks using the following steps:

(a) receiving register information indicating register status after a particular mail piece is processed;

(b) comparing the register information for the particular mail piece to determine a difference in register values from ~~as a function of~~ the register information of a prior mail piece;

(c) if the difference ~~comparison~~ is consistent with processing of a single mail piece, then assigning the particular mail piece to a same mail piece block as the prior mail piece, and if the difference is not consistent with processing of a single mail piece, then ~~otherwise~~ assigning the particular mail piece to a new mail piece block;

identifying gaps between defined mail piece blocks and mail pieces within the gaps; and accounting for the mail pieces within the gaps in accordance with a predetermined algorithm, the step of accounting further including examining ~~considering~~ a subset of mail piece blocks proximal to the identified gaps.

2. (original) The method of claim 1 wherein the step of accounting for the mail pieces within the gaps includes applying account information to the mail pieces within the gaps corresponding to account information from a previous block.

3. (Currently Amended) The method of claim 1 further including a step of gathering postage meter print value setting information while forming mail pieces and wherein the step of comparing the register information for the particular mail piece further comprises:

(d) based on ending ascending or descending register information and the postage meter print value setting information for the mail pieces, calculating beginning ascending or descending register information for the particular mail piece before processing and comparing the beginning ascending or descending register information for the particular mail piece with the ending ascending or descending register information of the immediately prior mail piece to determine if the difference-comparison is consistent with processing of a single mail piece.

4. (original) The method of claim 1 wherein the step of comparing the register information for the particular mail piece further comprises comparing a piece count for the particular mail piece with the piece count for the prior mail piece, and assigning the particular mail piece to a same mail piece block as the prior mail piece if there is an interval of one mail piece, and otherwise assigning the particular mail piece to a new mail piece block.

5. (original) The method of claim 1 further including a step of determining if mail piece blocks include overlapping mail piece information and eliminating duplicate data so that the same information is only accounted for once.

6. (original) The method of claim 5 wherein the step of eliminating duplicate data includes defining a negative block corresponding to the overlapping mail piece information.

7. (original) The method of claim 1 wherein the step of accounting further includes a step of defining a startpoint for performing balancing and an endpoint for performing balancing and whereby the startpoint and the endpoint encompass an identified gap and mail piece blocks bordering on the identified gap and whereby the step of accounting considers a range between the defined startpoint and endpoint, including mail piece blocks and the identified gap, for the purposes of the predetermined algorithm.

8. (Previously presented) The method of claim 7 wherein the startpoint and endpoint are determined so that neither the startpoint nor the endpoint occur inside a mailpiece block, and whereby only one block ends at the startpoint and only one block starts at the endpoint.

9. (original) The method of claim 1 wherein the step of identifying gaps includes sorting mail piece blocks in consecutive order to find gaps.

10. (original) The method of claim 9 wherein the step of accounting includes creating a discrepancy block to fill an identified gap where a starting ascending register value of a second block is greater than a starting ascending register value of a preceding first block.

11. (original) The method of claim 10 wherein the step of accounting includes creating a negative block to cancel an overlap when the starting ascending register value of the second block is less than the starting ascending register value of the first block.

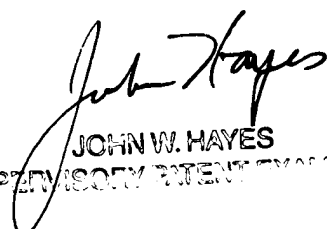
12. (original) The method of claim 11 wherein the step of accounting includes creating a funds block to balance a difference between a starting descending register value of the second block and an ending descending register value of the first block.

13. (original) The method of claim 12 wherein the step of accounting includes creating a zero postage discrepancy block to balance a difference between a starting piece count register value for the second block and an ending piece count register value for the first block.

14. (original) The method of claim 13 wherein the step of accounting further includes a step of defining a startpoint for performing balancing and an endpoint for performing balancing and whereby the startpoint and the endpoint encompass an identified gap and mail piece blocks bordering on the identified gap and whereby the step of accounting considers a range between the defined startpoint and endpoint, including mail piece blocks and the identified gap, for the purposes of the predetermined algorithm.

15. (Previously presented) The method of claim 14 wherein the startpoint and endpoint are determined so that neither the startpoint nor the endpoint occur inside a mailpiece block, and whereby only one block ends at the startpoint and only one block starts at the endpoint.

16. (original) The method of claim 15 whereby the accounting steps are iterated for all blocks at or between the defined startpoint and endpoint.

  
JOHN W. HAYES  
SUPERVISORY PATENT EXAMINER